

# Notice of Allowability

Application No.

10/726,197

Examiner

Myles D. Robinson

Applicant(s)

KRISS, MICHAEL A.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/2/2006.
2. ☒ The allowed claim(s) is/are 1, 2 and 4 - 7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 12/11/2006.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
KING Y. POON

PRIMARY EXAMINER

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 9/2/2006 with respect to the Abstract and **claim 1** have been fully considered and are persuasive. The objection to the Abstract has been withdrawn, based upon the Applicant's Remarks (*page 4, line 20 – page 5, line 10*), and the rejection of claim 1 has been withdrawn, based upon the Applicant's Remarks (*page 5, line 16 – page 6, line 13*).

## EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jon Dickinson on 12/11/2006.

The application has been amended as follows:

**Claim 1:** A computer-based image-manipulation method for enabling anti-clipping, selective user control over a color-affecting parameter in a computer-presented color image which is intended to be printed, where clipping is defined by the occurrence of an unintended condition, based upon user control input, wherein that parameter

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assumes a value which lies outside a desired value range which is directly associated with the computer-recognized number value range of 0 – 255, said method comprising:

furnishing suitable computer-responsive, change-value color controls that are selectively manipulable by a user to effect changes, ultimately, in such a parameter value, thus to vary a certain characteristic of color in the image, and

applying predetermined governance over the actual value of the color-affecting parameter, including (a) implementing preliminary matrix processing of a user-chosen Chroma value, followed by (b) implementing for each respective color-space color, an anti-clipping algorithm in accordance with the algorithmic formula expressed in ~~Table III~~, as follows:

$$OUTPUT = \frac{255}{4} \left( \left[ 1 + \tanh\left(\frac{INPUT + \Delta L - 128 - G + \Delta R}{G}\right) \right] + \left[ 1 + \tanh\left(\frac{INPUT + \Delta L - 128 + G + \Delta R}{G}\right) \right] \right)$$

whereby, no matter the input control implemented by the user, that user chosen value is constrained in relation to approaching either one of the two limit values in the mentioned range to an asymptotic-like approach toward such limit value.

**Claim 5:** The method of claim 1, wherein the algorithmic formula expressed in ~~Table III~~ as follows:

$$OUTPUT = \frac{255}{4} \left( \left[ 1 + \tanh\left(\frac{INPUT + \Delta L - 128 - G + \Delta R}{G}\right) \right] + \left[ 1 + \tanh\left(\frac{INPUT + \Delta L - 128 + G + \Delta R}{G}\right) \right] \right)$$

is modified [a] as expressed by the modified algorithmic formula as follows:

$$\left( \frac{255}{4} \right) \left( \left[ 1 + \text{TANH} \left( \left[ (\text{INPUT} - 128) + B(\text{INPUT} - 128)^3 + \Delta L - G + \Delta R \right] / G \right) + \right] \right) \left[ 1 + \text{TANH} \left( \left[ (\text{INPUT} - 128) + B(\text{INPUT} - 128)^3 + \Delta L + G + \Delta R \right] / G \right) \right] \right)$$

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### REASONS FOR ALLOWANCE

3. **Claims 1, 2 and 4 – 7** are allowed.

Referring to **claim 1**, the innovative limitation that distinguishes the Applicant's claim is the **specific algorithmic formula**, as shown in Table III (see *Fig. 4*), which utilizes a continuous-curve function to create an asymptote-like prevention of clipping (see *Remarks [page 5, line 16 – page 6, line 13]*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

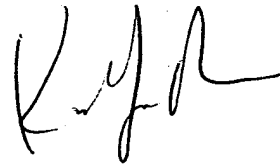
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MDR

12/11/06



**KING Y. POON  
PRIMARY EXAMINER**